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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 CITY OF SEATTLE,

11 Plaintiff,

12 v.

13 THOSE CERTAIN  
14 UNDERWRITERS AT LLOYD'S  
15 LONDON SUBSCRIBING TO  
16 POLICY NO. PK1027719,

Defendant.

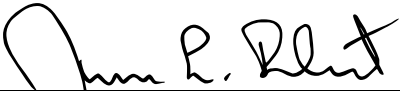
CASE NO. C23-1563JLR

ORDER

17 Before the court is Plaintiff City of Seattle's renewed motion for appointment of  
18 an arbitration umpire. (Mot. (Dkt. # 17); Reply (Dkt. # 18).) Defendant Those Certain  
19 Underwriters at Lloyd's London Subscribing to Policy No. PK1027719 filed an untimely  
20 opposition brief, in which it recognized that the court may "construe the untimely filing  
21 as an admission that an umpire should be chosen from the City's candidates." (Resp.  
22 (Dkt. # 19) at 1-2.) Of Plaintiff's chosen candidates, Defendant prefers the Honorable

1 Dean S. Lum (Ret.) due to his background with insurance cases. (*Id.* at 2.) The court has  
2 considered the City's submissions, the relevant portions of the record, and the governing  
3 law. Being fully advised, the court APPOINTS Judge Lum to act as an umpire for the  
4 parties' arbitration.

5 Dated this 1st day of April, 2024.

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7 JAMES L. ROBART  
United States District Judge  
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